

INSTRUCTIONS FOR FILING A COMPLAINT

To bring an action in the U.S. District Court for the Northern District of New York, you must file one original complaint and provide the Clerk with a copy of your complaint for each defendant named. All copies of the original complaint must be identical. You also should keep a copy for your own records.

There is a **\$350.00 filing fee** required in order to maintain an action in federal court. If you are unable to pay the filing fee and cost of service of this case, you may request that the Court allow you to proceed “in forma pauperis.” If there is more than one plaintiff to an action, each plaintiff named must file a separate “Application to Proceed In Forma Pauperis.” **The Clerk cannot accept for filing a complaint that is not accompanied by either the full filing fee or a completed in forma pauperis application.**

- You may file this complaint with our Court only if one or more of the defendants is located within this district.
- You are required to furnish the correct name and address of each person you have named as defendant.
- You must file a separate complaint for each claim unless all of your claims related to the same incident or issue.
- You must include allegations of wrongful conduct as to all defendants named in your complaint.
- Your complaint must be legibly handwritten or typed.
- You are required to give facts supporting each of your claims against each of the defendants in your complaint, and you must sign this document and declare under penalty or perjury that the facts are correct. All plaintiffs must sign the complaint individually.
- Your complaint should not contain legal arguments or case citations.
- You will also have to fill out other documents, such as a summons, a civil cover sheet, USM-285 forms, etc., in order to maintain an action in this District.

If you need additional space to answer a question, you may use additional sheets of paper. When these forms are completed, mail the original complaint and sufficient copies of same, to: Clerk, U.S. District Court, at any of the following addresses.

U.S. District Court
Alexander Pirnie Federal Building
10 Broad Street
Utica, New York 13503

U.S. District Court
P.O. Box 7367
100 S. Clinton Street
Syracuse, New York 13261-7367

U.S. District Court
James T. Foley, U.S. Courthouse
445 Broadway, Room 222
Albany, New York 12207-2924

U.S. District Court
15 Henry Street
Binghamton, New York 13901

FORMS INDEX – CIVILIAN ACTIONS

There are two different sections to the Forms Index.

The “Copies Only” section includes forms that have been completed with fictitious parties.

The “Sample Forms” section includes blank forms which may be removed from the book and used by the pro se litigant in filing and maintaining an action in the Northern District. However, if this book is being used in a law library, we ask that you do not remove these forms from the book. Instead, please ask the librarian for copies of the sample forms.

E. FORM COMPLAINTS

1. Civilian Complaints

- (a) Civil rights pursuant to 42 U.S.C. § 1983
- (b) The VII
- (c) Age discrimination
- (d) Americans with Disabilities Act
- (e) *Bivens* action (federal defendants)

F. IN FORMA PAUPERIS APPLICATION

G. MOTION FOR APPOINTMENT OF COUNSEL

I. PROOF OF SERVICE

- 1. Affidavit of service by mail
- 2. Certificate of service by mail